

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

JUAN J. ARBUSTOS-NAVARETTE, )  
Petitioner, )  
v. ) Nos. 3:04-CR-102-PLR-HBG-1  
UNITED STATES OF AMERICA, ) 3:16-CV-342-PLR  
Respondent. )

**JUDGMENT ORDER**

For the reasons expressed in the accompanying memorandum opinion, it is **ORDERED** and **ADJUDGED** that Petitioner's § 2255 motion [Doc. 83] is **DENIED** and **DISMISSED WITH PREJUDICE**. If Petitioner files a notice of appeal from this judgment, such notice of appeal will be treated as an application for a certificate of appealability, which is **DENIED** pursuant to 28 U.S.C. § 2253(c)(2) and Fed. R. App. P. 22(b) because he has failed to make a substantial showing of the denial of a federal constitutional right. The Court **CERTIFIES** pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24 that any such appeal from this judgment would be frivolous and not taken in good faith.

**ENTER:**

  
Pamela J. Gevers  
UNITED STATES DISTRICT JUDGE